



## UNITED STATES PATENT AND TRADEMARK OFFICE

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

May 1, 2008


VENABLE LLP  
P.O. BOX 34385  
WASHINGTON, DC 20043-9998  
US

Dear Sir/Madam,

Your refund request for 10705896 in the amount of \$360.00 has been denied .

### Notice Regarding Request for Refund of Excess Claims Fees

The Office published a final rule notice to provide that an applicant may request a refund of excess claims fees under 37 CFR 1.117. However, the United States District Court for the Eastern District Court of Virginia issued a decision on April 1, 2008, enjoining the USPTO from implementing the changes in the final rule notice. Therefore, the USPTO currently does not have the authority to act on any request for a refund of excess claims fees for canceled claims under 37 CFR 1.117 and provide any such refund.

Sincerely,  
  
Cynthia Streater  
Technical Center Others  
703 308-9010 x178



2007 OCT -1 PM 5:00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Geoffrey EGNAL et al.

Art Unit: 2613

Application No: 10/705,896

Examiner: WONG, Allen C.

Confirmation No: 6101

Filed: November 13, 2003

Atty. Docket No: 37112-191810

For: ACTIVE CAMERA VIDEO-BASED  
SURVEILLANCE SYSTEMS AND METHOD

Customer No:

26694

PATENT TRADEMARK OFFICE

REQUEST FOR REFUND

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a request for a refund according to the Consolidated Appropriations Act, in the amount of \$360.00, which should be applied to Deposit Account No. 22-0261.

On November 13, 2003, Applicants filed a patent application and were charged \$360.00 for forty claims in excess of twenty. The Second Preliminary Amendment being filed concurrently herewith and prior to the first Office Action on the merits, will result in total claim count of twenty-two, including four independent claims.

In view of the above, Applicants respectfully request a refund of the \$360.00 excessive claim fees be credited to the Deposit Account No. 22-0261, referencing 37112-191810, promptly.

Dated: 9/28/07

Respectfully submitted,

By

Jeffrey A. Kaminski

Registration No.: 42,709

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Attorney/Agent For Applicant

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